

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF WEST VIRGINIA  
AT CHARLESTON

UNITED STATES OF AMERICA

v.

CRIMINAL ACTION NO. 2:14-00079

RICKY A. WILLIAMS

SUPERVISED RELEASE REVOCATION AND JUDGMENT ORDER  
MEMORANDUM OPINION AND ORDER

On April 15, 2015, the United States of America appeared by Monica D. Coleman, Assistant United States Attorney, and the defendant, Ricky A. Williams, appeared in person and by his counsel, Lex A. Coleman, Assistant Federal Public Defender, for a hearing on the petition on supervised release submitted by Senior United States Probation Officer Patrick M. Fidler. The defendant commenced a three-year term of supervised release in this action on December 3, 2014, as more fully set forth in the Judgment Including Sentence Under the Sentencing Reform Act entered by the court on October 29, 2014.

The court heard the admissions of the defendant and the representations and argument of counsel.

For reasons noted on the record of this proceeding, which are ORDERED incorporated herein by reference, the court found that the defendant has violated the conditions of supervised release in the following respects: (1) the defendant failed to file a monthly report from the time supervised release commenced on December 3, 2014, until the filing of the petition on February 26, 2015; (2) the defendant failed to follow the instructions of the probation officer inasmuch as on December 4, 2014, the probation officer instructed him to report to the probation office in person the first Tuesday of each month and the defendant failed to report in January or February 2015; on January 7, 2015, the probation officer attempted to contact the offender by telephone regarding his missed appointment, but was unsuccessful; on January 8, 2015, the probation officer mailed a letter to the offender's residence directing him to report to the probation office on January 12, 2015, which the defendant failed to do, after which the letter was returned as "not deliverable as addressed, unable to forward"; on January 16, 2015, the probation officer attempted a home visit at the defendant's residence at which time the defendant's grandmother advised he was not home, the probation officer having left a business card with a request that the defendant contact the

probation officer, which the defendant failed to do; all of which rendered the defendant's whereabouts unknown to the probation officer inasmuch as there was no contact from December 16, 2014, until the filing of the petition on February 26, 2015; (3) the defendant failed to report for urine screens inasmuch as on December 4, 2014, he was placed on the urine drug screen hotline and expected to provide four urine screens per month, the defendant having provided a screen on December 4, 2014, one additional screen, and then none thereafter until the filing of the petition on February 26, 2015; and (4) the defendant failed to attend weekly individual substance abuse treatment sessions inasmuch as such arrangements were made by the probation officer on December 4, 2014, and the defendant did not attend a session from December 29, 2014, until the filing of the petition on February 26, 2015; all as admitted by the defendant on the record of the hearing and as set forth in the petition on supervised release.

And the court finding, as more fully set forth on the record of the hearing, that the violations warrant revocation of supervised release and, further, that it would unduly depreciate the seriousness of the violations if supervised release were not

revoked, it is ORDERED that the supervised release previously imposed upon the defendant in this action be, and it hereby is, revoked.

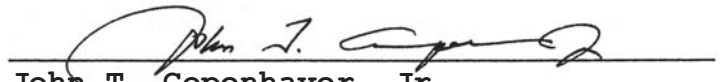
And the court having complied with the requirements of Rule 32(a)(1)(B) and (C) of the Federal Rules of Criminal Procedure, and finding, after considering the factors set forth in 18 U.S.C. § 3583(e), that the defendant should be confined to the extent set forth below, it is accordingly ORDERED that the defendant be, and he hereby is, committed to the custody of the United States Bureau of Prisons for imprisonment for a period of EIGHT (8) MONTHS, to be followed by a term of twenty-eight (28) months of supervised release upon the standard conditions of supervised release now in effect in this district by order entered June 22, 2007, and the further conditions that the defendant not commit another federal, state or local crime and that the defendant participate in substance abuse counseling and treatment as directed by the probation officer.

The defendant was remanded to the custody of the United States Marshal.

Recommendation: The court strongly recommends that the Bureau of Prisons apply four months of the defendant's sentence to a community confinement center placement.

The Clerk is directed to forward copies of this written opinion and order to the defendant, all counsel of record, the United States Probation Department, and the United States Marshal.

DATED: April 21, 2015

  
John T. Copenhaver, Jr.  
United States District Judge